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Paper No. 9

MARVELL SEMICONDUCTOR, INC.
INTELLECTUAL PROPERTY DEPARTMENT
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SUNNYVALE, CA 94089

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OFFICE OF PETITIONS

In re Application of	:
Yat-Tung Lam et al	:
Application No. 09/759,151	: DECISION ON PETITION
Filed: January 16, 2001	: UNDER 37 CFR 1.181
Attorney Docket No. MP0071	:

This is a decision on the petition under 37 CFR 1.137(b), filed September 19, 2002, which, for the reasons stated below, is being treated as a petition under 37 CFR 1.181 requesting withdrawal of the holding of abandonment in the subject application.

The petition is granted.

This application became abandoned by operation of law for failure to timely respond to the Notice to File Corrected Application Papers, mailed March 26, 2001, which set a two month period for the submission of substitute drawings in compliance with 37 CFR 1.84.

Petitioner states that failure to timely reply was due to nonreceipt of the Notice of March 26, 2001. Petitioner further contends that the Notice was mailed to a party not connected with this application and that, in fact, the Notice should have been mailed to the address noted in the declaration submitted with the application papers on January 16, 2001; namely, to the Customer Number for Katten Muchin Zavis, applicants' attorneys at the time.

The petition is not accompanied by the evidence required to establish nonreceipt of the Notice of March 26, 2001. However, it is apparent from a review of the file history for this application that the Notice of March 26, 2001 was not in fact mailed to the correct address. Therefore, it is appropriate here to treat the petition under 37 CFR 1.137(b) as one requesting withdrawal of the holding of abandonment due to nonreceipt of the Notice of March 26, 2001.

In view of the above, the holding of abandonment is hereby withdrawn. The reply to the Notice, substitute drawings, filed concurrently with the instant petition will be accepted as having been timely filed.

A petition to withdraw the holding of abandonment under 37 CFR 1.181 does not require a fee, and none has been assessed to petitioner's deposit account.

Any questions concerning this decision may be directed to the undersigned at (703) 305-8680.

This application is being forwarded to the Office of Initial Patent Examination for pre-examination processing.

A handwritten signature in cursive script, appearing to read "Frances Hicks".

Frances Hicks

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy